

**CITY OF MILPITAS**

455 E. Calaveras Blvd.
Milpitas, CA 95035

Engineering Division
ENCROACHMENT PERMIT
(408) 586-3329

Starting Date	Expiration Date	Permit No.
Charge Account No.	Drawing No.	

A. GENERAL INFORMATION

Property Owner:		Phone () -	
Street Address:	City	State	Zip Code
Contractor:		Project Contact Person:	
Street Address:	City	State	Zip Code
Phone () -	Mobile () -	Fax () -	
State Contractor's License #	City Business License #	Exp. Date	

B. LOCATION OF PROPOSED WORK: _____**C. PROPOSED WORK:** _____
(Generally describe nature and purpose of proposed encroachment)**D. ATTACH CERTIFICATES OF INSURANCE****E. SECURITY:** ☐ Agreement and Security on file ☐ Security on file**F. GENERAL PROVISIONS:**

In consideration of the granting of this permit and other good and valuable consideration, the undersigned and the heirs, executors, administrators and assigns of the undersigned, agree that permittee shall be responsible for all liability imposed by law for personal injury or property damage proximately caused by failure on permittee's part to perform his/her obligations under this permit in respect to maintenance. If any claim of such liability is made against the City of Milpitas, its officers, employees, or agents, permittee shall defend, indemnify and hold them, and each of them harmless from such claim. Nothing herein is intended to impose any different or higher standards or care than that required from by law. Permittee agrees to the following:

- 1) To remove encroachment at its expense when notified in writing by the City where necessary for City purposes.
- 2) That the City has the right to remove the encroachment at its own expense without compensation to the permit holder if necessary for any City purposes.
- 3) That the City is not responsible for any repair or maintenance of this encroachment for any reason.
- 4) That any existing facilities damaged or removed shall be replaced in kind or better, including but not limited to replacing existing striping. Water based paint shall be used for all temporary markings on concrete or asphaltic pavement or other structures. All temporary markings shall be completely removed by the contractor when they are no longer required and prior to final inspection.
- 5) Any misrepresentation of information requested from the permittee on this form shall make this permit null and void.
- 6) That the encroachment shall not obstruct access to any water meter or any other City facility.
- 7) That the hours of work shall be limited to 7 a.m. to 5 p.m., Monday through Friday (except holidays), unless otherwise approved by the City Engineer.
- 8) The permittee shall call Underground Service Alert (USA) 48 hours prior to construction at 1-(800) 642-2444.

- 9) The permittee shall maintain a copy of this permit at job site for review when requested.
- 10) **Standards:** All work and traffic control shall be performed in accordance with City of Milpitas and State of California Standard Plans and Specifications and current California Department of Transportation Manual of Traffic Controls for Construction and Maintenance of Hazard Zone and Manual of Warning Signs, Lights and Devices for use in performance of work upon highways.
- 10) **Notification:** The permittee shall notify the City of Milpitas Public Works Inspection at least 48 hours prior to any work at (408) 586- 2884.
- 11) **Roadway Replacement:** The permittee shall replace existing roadway structural pavement section in accordance with City of Milpitas Standard Drawing No. 222 and 223 as applicable. Temporary surfacing shall be inspected daily by the contractor and repaired within 48 hours, where there is 1" uplift or settlement. Temporary surfacing shall not be used for more than two weeks and shall be removed prior to final pavement placement.
- 12) **Trench Backfill:** Trench backfill shall be in conformance with City of Milpitas Standard Drawing No. 220 or 223 as applicable.
- 13) **Pipe and Conduits:** Utility services and other conduit shall be bored or jacked under existing pavement unless specified otherwise on approved plans.
- 14) **Non-point Pollution Prevention:** The applicant is responsible to exercise Best Management Practices under this permit. The Best Management Practices sheet is attached and made a part of this permit. This sheet is not all-inclusive and it is the sole responsibility of the applicant to insure proper Best Management Practices to eliminate storm water pollution.
- 15) **Monumentation:** Contractor is responsible for preservation and/or perpetuation of all existing monuments which control subdivisions, tracts, boundaries, streets, highways, easements, or other right-of-way, easements, or provide survey control which will be disturbed or removed due to contractor's work. Contractor shall provide a minimum of 10 working days notice to project engineer/surveyor prior to disturbance or removal of existing monuments. Project engineer/surveyor shall coordinate with contractor to reset monuments or provide permanent witness monuments and file the required documentation with the County Surveyor pursuant to Business and Professional Code section 8771.
- 16) **Cable Franchise:** By accepting this permit, the applicant/owner agrees on behalf of itself and its affiliates that it will not provide video programming (including but not limited to programming delivered using internet protocol) over its facilities located within the City's rights-of-way to subscribers within the City without first obtaining a cable franchise or an open video system franchise from the City.

G. OTHER PROVISIONS

- ☐ City of Milpitas Encroachment Permit Special Provisions
- ☐ Traffic Control Plan (attached)
- ☐ Other: _____

PERMITTEE / OWNER'S AGENT: _____

Print Name	Signature	Date
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PERMIT APPROVAL: _____

Permit Issued by	Signature	Date
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H. PROJECT COMPLETION

- Inspector's comments: _____
- ☐ Unless otherwise notified by the public Works Inspection, City Clerk to release security on _____.
- ☐ Digital copy of the Record Drawing is required ☐ Digital copy of the Record Drawing is not required
- ☐ Record Drawing, sketches and a copy of this encroachment permit was forwarded to the Land Development Section on _____.

Accepted by Construction Inspection: _____

Project Inspector (print)	Signature	Date
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Distribution: Permittee PW Inspection City Clerk File Rev. 2/06